

Appl. No. 10/735,207  
Amdt. dated February 11, 2009  
Reply to Office action of January 15, 2009

**Amendments to the Claims:**

This listing of the claims will replace all prior versions, and listings, of the claims in the application.

**Listing of Claims:**

Please amend the claims as follows without prejudice. No new matter has been added by way of these amendments.

We claim:

Claim 1 (Canceled)

Claim 2 (Canceled)

Claim 3 (Canceled)

Claim 4 (Canceled)

Claim 5 (Canceled)

Claim 6 (Canceled)

Claim 7 (Canceled)

Claim 8 (Currently Amended) A method for optimizing energy usage at an end user site comprising the steps of:

- determining a cost for generating energy at the end user site;
- determining the cost of purchasing energy from another energy supplier;
- establishing a set of end-user energy policies for generating and using energy at the end-user site;
- generating a set of energy supply alternatives for the end-user site based on the energy user requirements and the cost of the energy alternatives by;
  - determining which alternative energy suppliers have energy available at the time of a particular application at the end-user site; and
  - calculating for each alternate energy supplier, the amount of available energy and the cost of that energy at that alternate supplier;
- selecting an energy supplier for the particular end-user application, the selected energy supplier being the end-user or an alternate energy supplier from the generated set of energy alternatives, said selection being based on said established end-user energy policies;
- generating providing energy at the end-user facility, and using said generated provided energy by the end-user for the particular end-user application; and
- determining whether there is an amount of energy generated at the end-user facility that is in excess of the energy used at the end-user facility; and
- selling any excess energy generated by the end-user site to other end-users ~~or to~~ ~~energy suppliers~~ by placing information about available energy in a location accessible to potential energy purchasers; negotiating the price and quantity of the energy with a potential energy purchaser; and consummating the transaction with the potential energy purchaser.

Claim 9 (Canceled)

Claim 10 (Previously presented) The method as described in claim 8 wherein said end-user energy policy is based on the lowest energy cost and the closest available time to a preferred time of the user.

Claim 11 (Previously presented) The method as described in claim 8 further comprising after said selection step, steps for implementing a pre-programmed operation of the particular appliance or application using energy from the selected energy option.

Claim 12 (Original) The method as described in claim 11 wherein said implementing steps are automatically performed.

Claim 13 (Canceled)

Claim 14 (Canceled)

Claim 15 (Previously presented) The method as described in claim 8 wherein said negotiating step comprises: receiving an offer from a potential purchaser to buy energy, said offer containing a desired energy quantity and purchase price; determining whether to accept the offer, reject the offer or to submit a counter offer to the potential purchaser; and submitting a response to the potential energy purchaser.

Claim 16 (Previously presented) The method as described in claim 8 further comprising when the selected alternative is the end-user the steps of: submitting an offer to purchase energy to the selected energy supplier; receiving a response to the energy purchase offer from the selected energy supplier; and consummating the transaction with the energy purchaser.

Claim 17 (Canceled)

Claim 18 (Canceled)

Claim 19 (Canceled)

Claim 20 (Canceled)

Claim 21 (Canceled)

Claim 22 (Canceled)

Claim 23 (Canceled)

Claim 24 (Previously presented) A computer program product in a computer readable medium for optimizing energy usage at an end user site comprising:

instructions determining a cost for generating energy at the end user site;

instructions determining the cost of purchasing energy from another energy supplier;

instructions establishing a schedule for generating and using energy at the user end;

instructions generating a set of energy supply alternatives for the end-user site based on the energy user requirements and the cost of the energy alternatives, by;

determining which alternative energy suppliers have energy available at the time of a particular application at the end-user site; and

calculating for each alternate energy supplier, the amount of available energy and the cost of that energy at that alternate supplier;

instructions selecting an energy supplier for the particular end-user application, the selected energy supplier being the end-user or an alternate energy supplier from the generated set of energy alternatives, said selection being based on said established end-user energy policies;

instructions providing energy at the end-user facility, and using said provided energy by the end-user for the particular end-user application; and

instructions selling any excess energy generated by the end-user site to other end-users ~~or to energy suppliers~~, said selling excess generated energy instructions further comprising instructions placing information about available energy in a location accessible to potential energy purchasers; instructions negotiating the price and quantity of the energy with a potential energy purchaser; and instructions consummating the transaction with the potential energy purchaser.

Claim 25 (Canceled)

Claim 26 (Previously presented) The method as described in claim 24 further comprising after said selecting instructions, instructions for implementing a pre-programmed operation of the particular appliance or application using energy from the selected energy option.

Claim 27 (Canceled)

Claim 28 (Canceled)

Claim 29 (Previously presented) The computer program product as described in claim 24 wherein said energy negotiating instructions comprise instructions for:

receiving an offer from a potential purchaser to buy energy, said offer containing a desired energy quantity and purchase price;

determining whether to accept the offer, reject the offer or to submit a counter offer to the potential purchaser; and

submitting a response to the potential energy purchaser.

Claim 30 (Previously presented) The computer program product as described in claim 24 further comprising when the selected alternative is the end-user:

instructions for submitting an offer to purchase energy to the selected energy supplier;

instructions for receiving a response to the energy purchase offer from the selected energy supplier; and

instructions for consummating the transaction with the energy purchaser.

Claim 31 (Canceled)

Claim 32 (Canceled)

Claim 33 (Canceled)

Claim 34 (Canceled)

Claim 35 (Canceled)

Claim 36 (Canceled)

Claim 37 (Canceled)